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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/940,141

08/23/2001

Douglas A. Cheline

PD-201118

6304

7590

05/25/2006

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EXAMINER

SHAW, PELING ANDY

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	Application No. 09/940,141	Applicant(s) CHELINE ET AL.	
	Examiner Peling A. Shaw	Art Unit 2144	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 09 May 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

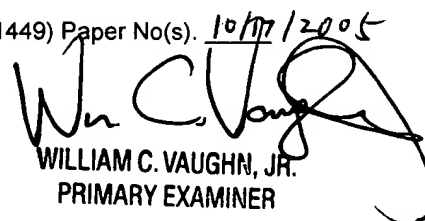
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: none.  
Claim(s) objected to: none.  
Claim(s) rejected: 1-9, 11-20, 22 and 23.  
Claim(s) withdrawn from consideration: none.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). 10/07/2005  
13. ☐ Other: \_\_\_\_\_

  
WILLIAM C. VAUGHN, JR.  
PRIMARY EXAMINER

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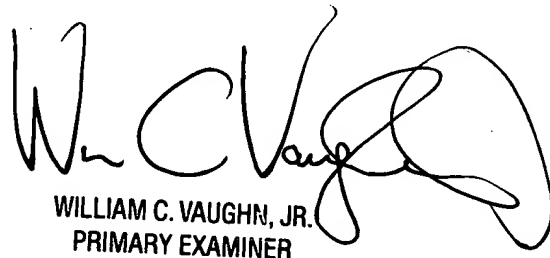
Although Examiner admitted in the telephone interview that Genty appears not having applicant's argument, a careful examination on the current and previous correspondence on this application is conducted. Examiner still feels that the stated response in the previous Office Action dated 03/15/2006 holds. The following additional remarks are provided:

1. Applicant alleges that the multiple VPN is set up for multiple clients via a single modem. Examiner has re-examined the original specification and claims. Applicant has stated (abstract) setting up a VPN over a modem for a computer and applying the same method for other computers. There is no specific saying if the connection would happen at the same time over the same modem. There is no specific saying if additional consideration is required in applying the method for more than one computer.

2. The response provided in Office Action dated 03/15/2006 has shown per Genty that WAN is used to connect the LAN through ISDN, i.e. through a modem device; VPN is established over Internet, i.e. WAN; Fig. 1 is shown to have three VPNs setup from three locations to a same location; VPN is used to connected multiple clients and multiple locations. As Fig. 1 shows that multiple computers are together, i.e. in a same location, it is clear that VPNs are for multiple computers at the same time at the same location. As Genty teaches sharing Internet and connecting with VPNs for multiple computers, it is clear that using the same WAN is intended. Otherwise, the stated benefit of getting rid of leased line per Genty is not achieved, e.g. using one ISDN connection per computer per VPN connection.

3. Per applicant IDS, Pai et al. (US 6711138 B1) has shown that WAN is connected via DSL for multiple computers in a home network, i.e. a LAN. Thus sharing a modem for multiple computers connecting to a WAN is known.

4. In summary, Genty does show sharing the Internet (access), i.e. WAN connection (paragraphs 6-10) in providing VPN connections for multiple computers and eliminating traditional leased lines over WAN; and WAN is over ISDN, i.e. a modem.



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